IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

Bail Appl..No. 7332 of 2006()

CRMP.5248/2006 of DISTRICT COURT, KOLLAM
Crime No.485/06 of Chathannoor Police Station

.....

PETITIONER:

MOHANAN, AGED 44 YEARS,
S/O.GANGADHARAN, KALLAZHIKATHU VEEDU,
PANAKKALAM, MUKHATHALA, KOLLAM.

BY ADV. SRI.B.S.SIVAJI

RESPONDENT:

STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. Ramkumar, J.

==========

B.A.No.7332 of 2006

==========

Dated this the 11th day of December, 2006.

ORDER

Petitioner, who is the first accused in Crime No.485 of 2006 of Chathannoor Police Station for an offence punishable under Section 420 read with Section 34 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The petitioner collected more than Rs.1 lakh from the defacto complainant promising him and his friend job abroad. They went abroad after investing their life's earnings. When they went abroad, the foreign employer refused to employ them and they were sent back stating that the petitioner committed breach of the agreement with him. Even though the petitioner is alleged to have promised to pay back the money, that was also not done. Anticipatory bail cannot be granted in such a case. There is no reason why the petitioner should not surrender before the

Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an app ication for regular bail within two weeks from today, the sam shall be considered and disposed of preferably on the day on hich it is filed.

With this direction, this petition is dismissed.

V.Ramkumar,
Judge.

ess 11/12